

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICKIE THOMAS,

Petitioner,

v.

REED HOLTGEERTS,

Respondent.

CASE NO. C05-256-JLR-MJB

ORDER DISMISSING § 2254 PETITION

The Court, having reviewed petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, the Report and Recommendation of the Honorable Monica J. Benton, United States Magistrate Judge, any objections thereto, and the balance of the record, does hereby find and

ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's petition for a writ of habeas corpus (Dkt. #4, #7) is DISMISSED without prejudice.
- (3) The Clerk is directed to send a copy of this Order to petitioner and to Judge Benton.

DATED this 7th day of July, 2005.

s/James L. Robart

JAMES L. ROBART
United States District Judge

ORDER DISMISSING PETITION